

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

THE GIVING BACK FUND, INC.

Plaintiff

V.

MARK STEVERSON, RUDOLPH & BEER,
LLP., LAURENCE H. RUDOLPH and
CORINA BIGGAR

Defendants

CIVIL ACTION NO. 02-CV-104446 RWZ

ASSENTED TO MOTION TO ADMIT COUNSEL PRO HAC VICE

Pursuant to Local Rule 83.5.3(b), the Defendants Mark Stevenson, Rudolph & Beer, LLP, Laurence H. Rudolph and Corina Biggar, by their attorneys, Peabody & Arnold LLP, hereby move, for the admission pro hac vice of Barry J. Brett and Michael D. Friedman, both of the law firm of Jenkens & Gilchrist Parker Chapin, LLP (“Jenkins Gilchrist”), as co-counsel for the Defendants in this matter.

Jenkins Gilchrist has acted as counsel to the Defendants for a number of years and Attorneys Brett and Friedman have represented them on numerous other matters. The Defendants have expressed a desire to have these attorneys from Jenkins Gilchrist represent them in defense of the claims brought against them. They are very familiar with all of the issues raised in this litigation.

The Declarations of Mr. Brett and Mr. Friedman have been filed herewith, along with their Notices of Appearance for the Defendants.

Allowed by the
Court + USDC
4/8/02 J. Johnson

DOCKETED

1

Counsel for the Defendants has assented to this motion.

Respectfully submitted:

MARK STEVERSON, RUDOLPH & BEER, LLP,
LAURENCE H. RUDOLPH and
CORINA BIGAR,

By their Attorneys,



Michael P. Duffy, BBO #137325
Paul T. Muniz, BBO #564786
Peabody & Arnold LLP
50 Rowes Wharf
Boston, MA 02110
(617) 951-2100

CERTIFICATE OF SERVICE

I hereby certify that I mailed a true and accurate copy of the within to David S. Rosenthal, Hutchins, Wheeler & Dittmar, 101 Federal Street, Boston, Massachusetts 02110, attorney of record for the plaintiff.

April 5, 2002



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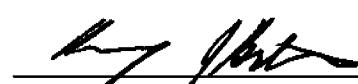
CIVIL ACTION NO. 02-CV-10446-RWZ

**DECLARATION OF BARRY J. BRETT IN SUPPORT
OF UNOPPOSED MOTION TO ADMIT COUNSEL PRO HAC VICE**

Now comes Barry J. Brett, and declares as follows:

1. I am a partner in the law firm of Jenkens & Gilchrist Parker Chapin, LLP. My office is located at The Chrysler Building, 405 Lexington Avenue, New York, New York. My telephone number is (212) 704-6000.
2. I have been a member of the New York bar since 1965. I am also admitted to practice in Federal District Courts for the Southern and Eastern Districts of New York, as well as the Court of Appeals for the Second, Third and Sixth Circuits.
3. I am a member of the bar in good standing in every jurisdiction where I have been admitted to practice, and there are no disciplinary proceedings pending against me as a member of the bar in any jurisdiction.
4. I am familiar with the local rules of the United States District Court for the District of Massachusetts, and will be working with local counsel located in Boston.

Signed under the penalties of perjury this 3rd day of April, 2002.


Barry J. Brett

UNITED STATES DISTRICT COURT
FOR THE
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Defendants

CIVIL ACTION NO. 02-CV-10446 RWZ

DECLARATION OF MICHAEL D. FRIEDMAN IN SUPPORT
OF UNOPPOSED MOTION TO ADMIT COUNSEL PRO HAC VICE

Now comes Michael D. Friedman, and declares as follows:

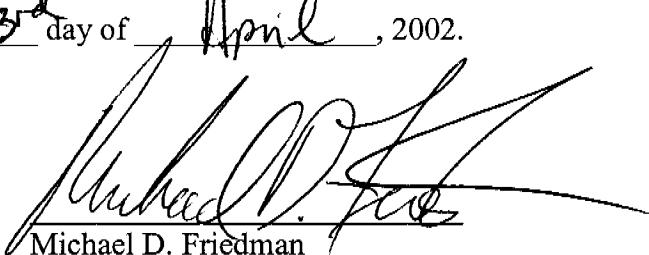
1. I am a partner in the law firm of Jenkens & Gilchrist Parker Chapin, LLP. My office is located at The Chrysler Building, 405 Lexington Avenue, New York, New York. My telephone number is (212) 704-6000.

2. I have been a member of the New York bar since 1980. I am also admitted to practice in the Federal District Courts for the Southern and Eastern Districts of New York.

3. I am a member of the bar in good standing in every jurisdiction where I have been admitted to practice, and there are no disciplinary proceedings pending against me as a member of the bar in any jurisdiction.

4. I am familiar with the local rules of the United States District Court for the District of Massachusetts, and will be working with local counsel located in Boston.

Signed under the penalties of perjury this 3rd day of April, 2002.



A handwritten signature in black ink, appearing to read "Michael D. Friedman". The signature is fluid and cursive, with "Michael" and "Friedman" being the most distinct parts.

Michael D. Friedman

UNITED STATES DISTRICT COURT
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Defendants

CIVIL ACTION NO. 02-CV-10446 RWZ

NOTICE OF APPEARANCE

Please enter our appearance as counsel for the Defendants Mark Stevenson, Rudolph & Beers, LLP, Laurence H. Rudolph and Corina Biggar, in the above-captioned matter.

Barry J. Brett /pm
Barry J. Brett, *Pro Hac Vice*
Michael D. Friedman, *Pro Hac Vice*
JENKENS & GILCHRIST PARKER
CHAPIN, LLP
The Chrysler Building
405 Lexington Avenue
New York, NY 10174
(212) 704-6000

DATED: April 5, 2002

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of April, 2002 I served a copy of the foregoing by hand the above Notice of Appearance to all counsel of record:



Paul T. Muniz

PABOS2:PMUNIZ:520896_1
14400-88632



PEABODY & ARNOLD LLP

COUNSELLORS AT LAW

50 ROWES WHARF, BOSTON, MA 02110-3342

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BOSTON, MA PROVIDENCE, RI PORTLAND, ME

PAUL T. MUNIZ
[617] 951.2032
pmuniz@peabodyarnold.com

April 5, 2002

BY HAND

Clerk
United States District Court
District of Massachusetts
John Joseph Moakley U.S. Courthouse
One Courthouse Way
Boston, MA 02110

Re: The Giving Back Fund, Inc. v. Stevenson, et als.
U.S.D.C. Massachusetts C.A. No. 02-CV104446 RWZ

Dear Sir or Madam:

I enclose for filing in the above-referenced matter the following:

1. Assented to Motion to Admit Counsel Pro Hac Vice;
2. Declaration of Barry J. Brett in Support of Unopposed Motion to Admit Counsel Pro Hac Vice;
3. Declaration of Michael D. Friedman in Support of Unopposed Motion to Admit Counsel Pro Hac Vice; and
4. Notice of Appearance.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul T. Muniz".

Paul T. Muniz

PTM/lj
Enclosures